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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/632,871

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EXAMINER

TO, TUAN C

ART UNIT

PAPER NUMBER

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/632,871	<b>Applicant(s)</b> KOBUYA ET AL.	
	<b>Examiner</b> TUAN C. TO	<b>Art Unit</b> 3663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 03 September 2010.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 2,3,8,9,11-13 and 26-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2,3,8,9,11-13 and 26-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claims 2, 3, 8, 9, 11-13, and 26-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sagie (US 20020091793A1) and in view of DeLorme et al. (US 5948040A) and Wilcock et al. (US 7454090 B2).

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Regarding claims 2, 8, 11, and 29, the first reference to Sagie teaches a system/method for tourist guiding comprising: information acquisition means for acquiring information specifying a combination of the information from the plurality of information sources and the contents information; site information focusing means for narrowing down the site information using the acquired information; and guide contents generating means for generating the guide contents using the narrowed down site information (Sagie, paragraphs 0115, and 0129, soft buttons are used to acquire plurality of information and tourist guide contents; In paragraph 0136, the tourist can narrow down site by tap on a corresponding button). Sagie additionally teaches album creation means for generating an album page incorporating record information from said tour in response to a user request after the tour (see abstract, digital tour album captures times and places wherein the tourists has visited).

Claims 2, 8, 11, and 29, Sagie teaches the album creation means for generating an album page incorporating record information including memo information from a tour in response to a user request after the tour (paragraph 0152).

Second reference to DeLorme et al. directs to another content server which generates guide contents (Trip map data and other related trip information) in which the all trip function, data and services can be provided entirely online (DeLorme et al, column 14, lines 43-52). In DeLorme et al, specially in figure 1A, the visual display or CRT 115 is provided as well another output devices such as speakers, sound/voice 119 for generating guide contents on a plurality of image layers superimposed on each

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other, each image layer corresponding to an information source among the plurality of information sources (DeLorme et al, figure 1C; column 23, lines 30-44).

DeLorme et al. discloses the Travel Reservation Information Planning System (TRIPS) with which the TRIPS user can preview and customize the guide contents on the basis of user information entered by the user, wherein said information includes information created by the user and entered at least one of before and during the tour, and wherein the user created information is integrated into the guide contents (see column 9, lines 32-58).

And the third reference to Wilcock et al. discloses an album program (50) for generating an album page incorporated record information including the user created information affixed to a map corresponding to an area the user moved during said tour (see column 3, lines 15-23; column 3, lines 61 through column 4, lines 23), and that the album program controls to display on a same display ("For example, the display is shown in figure 6"), the map area (61) and independent from and without being affixed to said map, the user created information entered by the user ("For example, as shown in figure 6 and further illustrated in column 5, lines 56-66, a group of photo taken is considered as the user created and that the created group of photos is independent from and without being affixed to said map 61 since the user creates said group by clicking on the control element 68B rather clicking on a portion of the map.")

Furthermore, in Wilcock et al, the created group of photo is carried out during the tour while the user was located within the area (e.g, within the location with the marking X) to which the map area (61) corresponds (see figure 6, figure 7; column 5, lines 33-

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55), and in response to selection from the display of the user created information entered by the user during the tour while the user was located within the area to which the map correspond, the selected user created information is automatically affixed to a position on the map based on the user position and the corresponding time information from the user action history and the time of entry of the selected user created information (see figure 6).

It is found in Wilcock et al., the user created information is independent from the map, and selectable from the screen display to display on the map. For example, figure 6 and figure 7, each shows the user created information (e.g. photo taken at each mark location) independent from the map area (61) and that created information is selected to display at each mark area within that map area.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system/method for guiding tourist as taught by Sagie to include the teachings as taught by DeLorme et al. and Wilcock et al. so that user can, with a mouse's click, quickly obtain a travel information or data related to a place or region or information about a specified location in that place or region.

As to claims 3, and 9, Sagie illustrates a digital navigation map (Sagie, figure 14) including site position information, and said map includes positional information on a map (Sagie, figure 14, red circle indicates where tourist is, green triangle indicates the next target). The digital navigation map as shown including the layout of the a region in which the position of tourist and the next target located.

As to claims 12 and 13, from the detail map as taught in DeLorme et al., the trip user can select an icon to retrieve information related. For example, the Jolly Ginger's information is shown in figure 1B-3.

As to claims 26-28, the system/method for tourist guiding in Sagie provided to navigate the tourist to and within tour sites using visual navigation method and detailed multimedia narrations on objects along the tour. The guide contents are outputted and ready for use by the tourist (Sagie, paragraph 0017). Therefore, the guide contents are inherently outputted based on an update date of the guide contents.

### ***Response to Applicant's Arguments***

The applicant's request for continued examination dated 09/3/2010 has been fully considered.

Wilcock et al. discloses a system/method and a computer program which is the album program (50) for generating an album page incorporated record information including the user created information affixed to a map corresponding to an area the user moved during said tour, and that the album program (50) controls to display on a same display, the map area (61) and a group of photo taken which is created by the user and that the created group of photos is independent from and without being affixed to the map area (61). The user creates said group by clicking on the control element 68B rather clicking on a portion of the map (61).

In addition, in Wilcock et al, the group of photo is created during the tour while the user was located within the area (e.g, within the location with the marking X) to which the map area (61) corresponds (see figure 6, figure 7; column 5, lines 33-55), and

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in response to selection from the display of the user created information entered by the user during the tour while the user was located within the area to which the map correspond, the selected user created information is automatically affixed to a position on the map based on the user position and the corresponding time information from the user action history and the time of entry of the selected user created information (see figure 6).

For at least the reasons set forth above, the current claims 2, 3, 8, 9, 11-13, and 26-29 would not be patentable over the cited prior art.

### ***Conclusions***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan C To whose telephone number is (571) 272-6985. The examiner can normally be reached on from 8:00AM to 5:00PM.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Tuan C To/

Primary Examiner of Art Unit 3663/3600

September 22, 2010

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